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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/810,998
Filing Date: March 26, 2004
Appellant(s): SU ET AL.

Ognyan I. Beremski
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 7/20/2009 appealing from the Office action mailed 2/24/2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

The statement of the status of claims contained in the brief is incorrect. A correct statement of the status of the claims is as follows:

This appeal involves claims 42-71.

Claims 1-41 been canceled.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US-6,978,121	Lane et al.	11-2002
US-2004/0029619	Liang et al.	8-2003
US-6,799,054	Shpak	10-2002
US-2003/0161288	Unruh	2-2002
US-2004/0009751	Michaelis et al.	7-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 42, 43, 45, 47-53, 55-58, 60, 62-68, 70 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane et al. (US-6,978,121 hereinafter, Lane) in view of Liang et al. (US-2004/0029619 hereinafter, Liang).

Regarding claim 42, Lane teaches a method of communication, the method comprising:

a plurality of wireless transmitter and/or receiver devices, (Fig. 2 [220 & 260])

generating two or more priority signals (Col. 5 lines 16-23 “The 802.11 MAC 170 transmits information to the BT MAC 130 regarding the priority of 802.11 events” &” the BT MAC 130 transmits a transmit disable command to the 802.11 radio 160 whenever the BT MAC 130 needs to process a high-priority BT receive or transmit event”) to control prioritization of information between corresponding MAC interfaces for each of said plurality wireless transmitter and/or receiver devices; (Col. 4 lines 39-52) and

coordinating communication of information between two or more of said plurality of wireless transmitter and/or receiver devices by configuring one or more of said

corresponding MAC interface devices via said generated two or more priority control signals. (Col. 4 line 39 through Col. 5 line 51, specifically Col. 4 lines 39-52)

Lane differs from the claimed invention by not explicitly reciting the plurality of wireless transmitter and/or receiver devices are in a chip.

In an analogous art, Liang teaches a method and system for coexistence of wireless communication technologies that includes a chip comprising a plurality of wireless transmitter and/or receiver devices. (Page 2 [0021], Fig. 1 [104 & 106] & Pages 2-3 [0022] "Although depicted as separate functional instances, the constituent elements of system 100 may be integrated or combined as necessary or convenient for design purposes") At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement the method of operating a dual mode device of Lane after modifying it to incorporate the ability to implement the system into an integrated design. One of ordinary skill in the art would have been motivated to do this since it enables a convenient and compact design for integration into devices without taking up an inordinate amount of space.

Regarding claim 43, Lane in view of Liang teaches controlling throughput of one or more of said plurality of wireless transmitter and/or receiver via said configuration of said one or more corresponding MAC interface devices. (Lane Col. 4 line 39 through Col. 5 line 26 *i.e.* the means for transmitting or receiving using the 802.11 interface and Bluetooth interface is controlled by the medium access control components)

Regarding claim 45, Lane in view of Liang teaches controlling connection time of one or more of said plurality of wireless transmitter and/or receiver via said configuration

of said one or more of said corresponding MAC interface devices. (Liang [0024] "dynamic balancing based on activity in a given time period" and [0037])

Regarding claim 47, Lane in view of Liang teaches configuring one or more of said corresponding MAC interface devices (Lane Fig. 2 [230 & 270]) via said generated one or more priority control signals via a host system. (Lane Col. 5 lines 16-23)

Regarding claim 48, Lane in view of Liang teaches coordinating said communication of information based on user input. (Liang Page 1 [0006])

Regarding claim 49, Lane in view of Liang teaches coordinating said communication of information based on detection of an active application. (Liang [0004] "user interface functions" and [0020] "Arbitration is provided on a packet-by-packet basis, according to a predetermined scheme of assumptions and priorities based on the end-use application")

Regarding claim 50, Lane in view of Liang teaches coordinating said communication information based on a protocol specific command. (Liang [0024] "in a number of embodiments, voice transmission and reception over Bluetooth is given priority over all other data traffic")

Regarding claim 51, Lane in view of Liang teaches assigning first and second priority control signals selected from said two or more priority control signals (Lane Col. 5 lines 16-23 and Liang [0024]), to first and second wireless transmitter and/or receiver devices selected from said plurality of wireless transmitter and/or receiver devices. (Lane Col. 4 lines 39-52 and Liang [0024])

Regarding claim 52, Lane in view of Liang teaches receiving or transmitting data on said first of said plurality of wireless transmitter and/or receiver devices (Lane Col. 4 line 64 through Col. 5 lines 23 and Liang [0024]) in accordance with the relative priority of said first priority control signal to said second priority control signal. (Lane Col. 4 line 64 through Col. 5 lines 23 and Col. 5 lines Liang [0027])

Regarding claim 53, Lane in view of Liang teaches said first of said plurality of wireless transmitter and/or receiver devices comprises a WLAN wireless interface device (Lane Fig. 2 [260] and Liang Fig. 1 [104]), and wherein said second of said plurality of wireless transmitter and/or receiver devices comprises a Bluetooth wireless interface device. (Lane Fig. 2 [220] and Liang Fig. 1 [106])

Regarding claim 55, Lane in view of Liang teaches said first of said plurality of wireless transmitter and/or receiver devices is compliant with Bluetooth (Lane Fig. 2 [220] and Liang Fig. 1 [106]), and wherein said second of said plurality of wireless transmitter and/or receiver devices is compliant with IEEE 802.11(b) or IEEE 802.11(g). (Lane Col. 1 line 52 through Col. 2 line 14 and Liang [0017-0018])

Regarding claim 56, Lane in view of Liang teaches said first priority control signal comprises a user-specified priority indication for said first of said plurality of wireless transmitter and/or receiver devices (Liang [0006] “end-user arbitration”), such that said first of said plurality of wireless transmitter and/or receiver devices is given priority in the reception or transmission of data relative to said first of said plurality of wireless transmitter and/or receiver devices. (Liang [0006])

Regarding claim 57, the limitations of claim 57 are rejected as being the same reason set forth above in claim 42.

Regarding claim 58, the limitations of claim 58 are rejected as being the same reason set forth above in claim 43.

Regarding claim 60, the limitations of claim 60 are rejected as being the same reason set forth above in claim 45.

Regarding claim 62, the limitations of claim 62 are rejected as being the same reason set forth above in claim 47.

Regarding claim 63, the limitations of claim 63 are rejected as being the same reason set forth above in claim 48.

Regarding claim 64, the limitations of claim 64 are rejected as being the same reason set forth above in claim 49.

Regarding claim 65, the limitations of claim 65 are rejected as being the same reason set forth above in claim 50.

Regarding claim 66, the limitations of claim 66 are rejected as being the same reason set forth above in claim 51.

Regarding claim 67, the limitations of claim 67 are rejected as being the same reason set forth above in claim 52.

Regarding claim 68, the limitations of claim 68 are rejected as being the same reason set forth above in claim 53.

Regarding claim 70, the limitations of claim 70 are rejected as being the same reason set forth above in claim 55.

Regarding claim 71, the limitations of claim 71 are rejected as being the same reason set forth above in claim 56.

Claims 44 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane in view of Liang as applied to claims 42 and 57 above, and further in view of Shpak (US-6,799,054).

Regarding claim 44, Lane in view of Liang teaches the limitations of claim 42 above, but differs from the claimed invention by not explicitly reciting controlling latency associated with said communication of information via said configuration of said one or more of said corresponding MAC interface devices.

In an analogous art, Shpak teaches a method and system for collaboration between wireless access points that includes the ability convey data through a single device via two different media access control (MAC) protocols, wherein the first MAC protocol has a latency that is higher than the second MAC protocol and can be preempted in order to meet the second lower latency of the second MAC protocol. (Col. 6 lines 14-21) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to be motivated to implement the wireless system coexistence of Lane in view of Liang after modifying it to incorporate the ability to control latency of Shpak since controlling latency ensures the differing quality of service requirements are met for the different MAC protocols.

Regarding claim 59, the limitations of claim 59 are rejected as being the same reason set forth above in claim 44.

Claims 46 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane in view of Liang as applied to claims 42 and 57 above, and further in view of Unruh (US-2003/0161288).

Regarding claim 46, Lane in view of Liang teaches the limitations of claim 42 above, but differs from the claimed invention by not explicitly reciting configuring one or more of said corresponding MAC interface devices via said generated one or more priority control signals via a wireless signal.

In an analogous art, Unruh teaches a system and method for communicating over multiple different protocols (Abstract) that includes the ability to be configured over-the-air in order to update the configuration of the mobile communication device. (Page 7 [0065]) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement the wireless system coexistence of Lane in view of Liang after modifying it to incorporate the over-the-air updating of a mobile device of Unruh. One of ordinary skill in the art would have been motivated to do this since it provides greater flexibility by enabling a device to be updated remotely whenever required.

Regarding claim 61, the limitations of claim 61 are rejected as being the same reason set forth above in claim 46.

Claims 54 & 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane in view of Liang as applied to claims 42 and 57 above, and further in view of Michaelis et al. (US 2004/0009751 hereinafter, Michaelis).

Regarding claim 54, Lane in view of Liang teaches one wireless transceiver circuit comprises a Bluetooth wireless interface device, but differs from the claimed invention by not explicitly reciting the second wireless transceiver circuit comprises a second Bluetooth wireless interface device.

In an analogous art, Michaelis teaches a dual-mode wireless device (Fig. 2) that includes two Bluetooth personal area network interfaces. (Page 2 [0018-0020]) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement the invention of Lane in view of Liang after modifying it to incorporate two Bluetooth wireless interface devices of Michaelis. One of ordinary skill in the art would have been motivated to do this since Bluetooth has a limitation upon the number of concurrent communications that can occur and having two interfaces doubles the possible number of connections.

Regarding claim 69, the limitations of claim 69 are rejected as being the same reasons set forth above in claim 54.

(10) Response to Argument

In response to the Appellant's argument regarding claims 42 and 57 that *the combination of Lane and Liang does not disclose or suggest at least the limitation of generating two or more priority signals to control prioritization of information between*

corresponding MAC interfaces for each of said plurality wireless transmitter and/or receiver devices within said chip (Pages 5-6), the Examiner respectfully disagrees.

Lane teaches a first priority signal when the "BT MAC 130 receives information from the 802.11 MAC 170 regarding the priority of the 802.11 events". (Lane Col. 4 lines 64-66) Lane's teaches a second priority signal with "the BT MAC 130 transmits a transmit disable command to the 802.11 radio 160 whenever the BT MAC 130 needs to process a high-priority BT receive or transmit event". (Lane Col. 5 lines 16-23) These are two separate priority signals sent between the MAC interfaces in order to resolve collisions, to prevent saturation of the Bluetooth devices (Lane Col. 3 lines 6-8) and to ensure no physical damage occurs to the Bluetooth device. (Lane Col. 2 lines 59-61) Further, Lane teaches two transmission lines (one in each direction) between the 802.11 MAC (Fig. 2 [270]) and the Bluetooth MAC (Fig. 2 [230]) for transmitting priority control signals. (Fig. 2 and Col. 5 lines 43-51)

Finally, it appears to the Examiner that the Appellant is confusing two related topics, priority signals and the order (sometimes inherently) determined by the transmission of priority signals (*i.e.* the highest priority signal is an example of an inherent order). The Appellant is focusing on Lane's teaching of "the BT MAC 130 transmits a transmit disable command to the 802.11 radio 160 whenever the BT MAC 130 needs to process a high-priority BT receive or transmit event" (Lane Col. 5 lines 16-23, Appellant's Afterfinal Arguments Pages 9-10 and Appeal Brief Page 6) as being the only priority signal generated. In order to further clarify the issue, the Examiner is looking at the related teachings of Liang. Liang discloses that typically "voice

transmission and reception over Bluetooth is given priority over all other data traffic" (Liang Page 3 [0024]), but when the Bluetooth is not seeking to transmit/receive voice data, a priority scheme is used to determine whether to give access to the WLAN/802.11 radio or Bluetooth radio. (Liang Page 3 [0024]) Therefore, there are times (as explained in both Lane Col. 4 line 39 through Col. 5 line 51 and Liang Page 3 [0024 & 0027]) when the 802.11 radio will have priority over the Bluetooth radio or vice versa once the MACs have determined the order of the transmissions from the at least two priority signals. (Lane Col. 4 lines 64-66, Col. 5 lines 16-17 and Col. 5 lines 20-23)

In response to the Appellant's argument regarding claims 42 that *the combination of Lane and Liang does not disclose or suggest at least the limitation of coordinating communication of information between two or more of said plurality of wireless transmitter and/or receiver devices by configuring one or more of said corresponding MAC interface devices via said generated two or more priority control signals* (Pages 6-7), the Examiner respectfully disagrees.

Lane teaches a plurality of wireless transmitter and/or receiver devices (Fig. 2 [260 & 220]) that coordinate communication of information between them by configuring the 802.11 MAC (Fig. 2 [270]) interface with the Bluetooth MAC (Fig. 2 [230]) interface by transmitting two or more priority control signals there-between. (Lane Col. 5 lines 43-51) Lane teaches a first priority signal when the "BT MAC 130 receives information from the 802.11 MAC 170 regarding the priority of the 802.11 events". (Lane Col. 4 lines 64-66) Lane's teaches a second priority signal with "the BT MAC 130 transmits a

transmit disable command to the 802.11 radio 160 whenever the BT MAC 130 needs to process a high-priority BT receive or transmit event". (Lane Col. 5 lines 16-23) These are two separate priority signals sent between the MAC interfaces in order to resolve collisions, to prevent saturation of the Bluetooth devices (Lane Col. 3 lines 6-8) and to ensure no physical damage occurs to the Bluetooth device. (Lane Col. 2 lines 59-61) Further, Lane teaches two transmission lines (one in each direction) between the 802.11 MAC (Fig. 2 [270]) and the Bluetooth MAC (Fig. 2 [230]) for transmitting priority control signals. (Fig. 2 and Col. 5 lines 43-51)

Finally, it appears to the Examiner that the Appellant is confusing two related topics, priority signals and the order (sometimes inherently) determined by the transmission of priority signals (*i.e.* the highest priority signal is an example of an inherent order). The Appellant is focusing on Lane's teaching of "the BT MAC 130 transmits a transmit disable command to the 802.11 radio 160 whenever the BT MAC 130 needs to process a high-priority BT receive or transmit event" (Lane Col. 5 lines 16-23, Appellant's Afterfinal Arguments Pages 9-10 and Appeal Brief Page 6) as being the only priority signal generated. In order to further clarify the issue, the Examiner is looking at the related teachings of Liang. Liang discloses that typically "voice transmission and reception over Bluetooth is given priority over all other data traffic" (Liang Page 3 [0024]), but when the Bluetooth is not seeking to transmit/receive voice data, a priority scheme is used to determine whether to give access to the WLAN/802.11 radio or Bluetooth radio. (Liang Page 3 [0024]) Therefore, there are times (as explained in both Lane Col. 4 line 39 through Col. 5 line 51 and Liang Page 3

[0024 & 0027]) when the 802.11 radio will have priority over the Bluetooth radio or vice versa once the MACs have determined the order of the transmissions from the at least two priority signals. (Lane Col. 4 lines 64-66, Col. 5 lines 16-17 and Col. 5 lines 20-23)

In response to the Appellant's arguments listed in section *A2* (Pages 8-9), the Examiner respectfully disagrees.

The responses listed above are applied here, however not repeated due to the redundancy.

In response to the Appellant's argument that Lane and Liang *does not disclose or suggest at least the limitation of "controlling connection time of one or more of said plurality of wireless transmitter and/or receiver via said configuration of said one or more of said corresponding MAC interface devices"* (Pages 9-10), the Examiner respectfully disagrees.

Lane in view of Liang teaches a plurality of wireless transmitter and/or receiver devices (Lane Fig. 2 [260 & 220], Liang Fig. 1 [104 & 106] and Page 2 [0021]) that coordinate communication of information between them by configuring the 802.11 MAC (Lane Fig. 2 [270]) interface with the Bluetooth MAC (Lane Fig. 2 [230]) interface by transmitting two or more priority control signals there-between (Lane Col. 5 lines 43-51), with the ability to dynamically balance which radio is given priority based on the amount of recent activity in a given time period. (Liang Page 3 [0024] and Page 5 [0037]) Therefore, the combination of Lane in view of Liang enables a priority control signaling

scheme between a Bluetooth MAC and 802.11 MAC with the results of the priority signals being decided based on the activity in a given time period of the radios.

In response to the Appellant's argument that Lane and Liang *does not disclose or suggest at least the limitation of "assigning first and second priority control signals selected from said two or more priority control signals, to first and second wireless transmitter and/or receiver devices selected from said plurality of wireless transmitter and/or receiver devices"* (Pages 12-13), the Examiner respectfully disagrees.

Lane teaches a first priority signal when the “BT MAC 130 receives information from the 802.11 MAC 170 regarding the priority of the 802.11 events”. (Lane Col. 4 lines 64-66) Lane's teaches a second priority signal with "the BT MAC 130 transmits a transmit disable command to the 802.11 radio 160 whenever the BT MAC 130 needs to process a high-priority BT receive or transmit event”. (Lane Col. 5 lines 16-23) These are two separate priority signals sent between the MAC interfaces in order to resolve collisions, to prevent saturation of the Bluetooth devices (Lane Col. 3 lines 6-8) and to ensure no physical damage occurs to the Bluetooth device. (Lane Col. 2 lines 59-61) Further, Lane teaches two transmission lines (one in each direction) between the 802.11 MAC (Fig. 2 [270]) and the Bluetooth MAC (Fig. 2 [230]) for transmitting priority control signals. (Fig. 2 and Col. 5 lines 43-51)

Liang discloses that typically “voice transmission and reception over Bluetooth is given priority over all other data traffic” (Liang Page 3 [0024]), but when the Bluetooth is not seeking to transmit/receive voice data, a priority scheme is used to determine

whether to give access to the WLAN/802.11 radio or Bluetooth radio. (Liang Page 3 [0024]) Therefore, there are times (as explained in both Lane Col. 4 line 39 through Col. 5 line 51 and Liang Page 3 [0024 & 0027]) when the 802.11 radio will have priority over the Bluetooth radio or vice versa once the MACs have determined the order of the transmissions from the at least two priority signals. (Lane Col. 4 lines 64-66, Col. 5 lines 16-17 and Col. 5 lines 20-23)

In response to the Appellant's argument that Lane and Liang *does not disclose or suggest at least the limitation "receiving or transmitting data on said first of said plurality of wireless transmitter and/or receiver devices in accordance with the relative priority of said first priority control signal to said second priority control signal"* (Pages 13-14), the Examiner respectfully disagrees.

Lane teaches a first priority signal when the “BT MAC 130 receives information from the 802.11 MAC 170 regarding the priority of the 802.11 events”. (Lane Col. 4 lines 64-66) Lane's teaches a second priority signal with "the BT MAC 130 transmits a transmit disable command to the 802.11 radio 160 whenever the BT MAC 130 needs to process a high-priority BT receive or transmit event”. (Lane Col. 5 lines 16-23) These are two separate priority signals sent between the MAC interfaces in order to resolve collisions, to prevent saturation of the Bluetooth devices (Lane Col. 3 lines 6-8) and to ensure no physical damage occurs to the Bluetooth device. (Lane Col. 2 lines 59-61) Further, Lane teaches two transmission lines (one in each direction) between the

802.11 MAC (Fig. 2 [270]) and the Bluetooth MAC (Fig. 2 [230]) for transmitting priority control signals. (Fig. 2 and Col. 5 lines 43-51)

Further, Liang discloses that typically "voice transmission and reception over Bluetooth is given priority over all other data traffic" (Liang Page 3 [0024]), but when the Bluetooth is not seeking to transmit/receive voice data, a priority scheme is used to determine whether to give access to the WLAN/802.11 radio or Bluetooth radio. (Liang Page 3 [0024]) Therefore, there are times (as explained in both Lane Col. 4 line 39 through Col. 5 line 51 and Liang Page 3 [0024 & 0027]) when the 802.11 radio will have priority over the Bluetooth radio or vice versa once the MACs have determined the order of the transmissions from the at least two priority signals. (Lane Col. 4 lines 64-66, Col. 5 lines 16-17 and Col. 5 lines 20-23 and Liang Page 3 [0024-0026])

In response to the Appellant's argument that Lane and Liang *does not disclose or suggest at least the limitation of "said first priority control signal comprises a user-specified priority indication for said first of said plurality of wireless transmitter and/or receiver devices, such that said first of said plurality of wireless transmitter and/or receiver devices is given priority in the reception or transmission of data relative to said first of said plurality of wireless transmitter and/or receiver device"* (Pages 15-16), the Examiner respectfully disagrees.

It is the Examiner's opinion that since Lane in view of Liang both teach a priority control system (Lane Col. 5 lines 35-51 and Liang Page 3 [0024]), that it would be obvious to one of ordinary skill in the art to be motivated to utilize the priority control

system of Lane (Col. 5 lines 35-51) to implement end-user arbitration of Liang. (Page 1 [0006]) In other words, if the 802.11 radio is currently operating and the user decides to turn the 802.11 radio off in order to use the Bluetooth radio, it makes sense to utilize the pre-existing priority control system so that the "802.11 MAC 270 receives a transmit disable command from the BT MAC 230" (Lane Col. 5 lines 48-49), thereby reusing the existing circuitry to provide additional features.

In response to the Appellant's argument that Lane, Liang and Shpak *does not disclose or suggest at least the limitation of "controlling latency associated with said communication of information via said configuration of said one or more of said corresponding MAC interface devices"* (Pages 17), the Examiner respectfully disagrees.

As it appears to be admitted by the Appellant (Page 18 first Para), Shpak teaches a method and system for collaboration between wireless access points that includes the ability convey data through a single device via two different media access control (MAC) protocols, wherein the first MAC protocol has a latency that is higher than the second MAC protocol and can be preempted in order to meet the second lower latency of the second MAC protocol. (Col. 6 lines 14-21)

In response to the Appellant's additional argument that *Lane, Liang and Shpak does not disclose that latency is controlled based on configuring one or more MAC interface devices using a plurality of priority control signals* (Page 18), the Examiner respectfully disagrees.

Lane teaches a first priority signal when the "BT MAC 130 receives information from the 802.11 MAC 170 regarding the priority of the 802.11 events". (Lane Col. 4 lines 64-66) Lane's teaches a second priority signal with "the BT MAC 130 transmits a transmit disable command to the 802.11 radio 160 whenever the BT MAC 130 needs to process a high-priority BT receive or transmit event". (Lane Col. 5 lines 16-23) These are two separate priority signals sent between the MAC interfaces in order to resolve collisions, to prevent saturation of the Bluetooth devices (Lane Col. 3 lines 6-8) and to ensure no physical damage occurs to the Bluetooth device. (Lane Col. 2 lines 59-61) Lane teaches two transmission lines (one in each direction) between the 802.11 MAC (Fig. 2 [270]) and the Bluetooth MAC (Fig. 2 [230]) for transmitting priority control signals. (Fig. 2 and Col. 5 lines 43-51)

Liang discloses that typically "voice transmission and reception over Bluetooth is given priority over all other data traffic" (Liang Page 3 [0024]), but when the Bluetooth is not seeking to transmit/receive voice data, a priority scheme is used to determine whether to give access to the WLAN/802.11 radio or Bluetooth radio. (Liang Page 3 [0024]) Therefore, there are times (as explained in both Lane Col. 4 line 39 through Col. 5 line 51 and Liang Page 3 [0024 & 0027]) when the 802.11 radio will have priority over the Bluetooth radio or vice versa once the MACs have determined the order of the transmissions from the at least two priority signals. (Lane Col. 4 lines 64-66, Col. 5 lines 16-17 and Col. 5 lines 20-23)

Finally, Shpak teaches a method and system for collaboration between wireless access points that includes the ability convey data through a single device via two

different media access control (MAC) protocols, wherein the first MAC protocol has a latency that is higher than the second MAC protocol and can be preempted in order to meet the second lower latency of the second MAC protocol. (Col. 6 lines 14-21) Therefore, it would have been obvious to one of ordinary skill in the art to be motivated to implement the wireless system coexistence of Lane in view of Liang after modifying it to incorporate the ability to control latency of the differing MAC protocols of Shpak since controlling latency ensures the various requirements of quality of service are met for the MAC protocols. Further, it makes sense to utilize the pre-existing priority control system of Lane in view of Liang when adding the ability to control the latencies of the different MAC protocols of Shpak since it is reusing the existing circuitry for additional features, thereby reducing the manufacturing costs.

In response to the Appellant's arguments in sections *B* (Page 9), *D-G* (Pages 11-12), *J*, *K* (Page 15), *III* and *IV* (Pages 18-20), the Examiner's original rejection is maintained in view of the further explanation listed above.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/MATTHEW SAMS/

Examiner, Art Unit 2617

Conferees:

/Lester Kincaid/

Supervisory Patent Examiner, Art Unit 2617

/Kent Chang/

Supervisory Patent Examiner, Art Unit 2617